

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-77-C - ORDER NO. 2004-494
OCTOBER 13, 2004

IN RE: Application of BellSouth Public	) ORDER APPROVING
Communications, Inc. for Approval to Divest	) WITHDRAWAL OF
Itself of its Assets	) PLEADINGS BY THE
	) WOMEN’S SHELTER
	) AND WITHDRAWAL OF
	) INTERVENTION BY
	) SCPCA AND
	) ESTABLISHING
	) DOCKET ON PUBLIC
	) INTEREST PAYPHONES

This docket comes before the Public Service Commission of South Carolina (“Commission”) on a Motion to Withdraw Pleadings filed by The Women’s Shelter and a request of the South Carolina Public Communications Association (“SCPCA”) to withdraw as an intervenor in this docket.

On May 12, 2003, The Women’s Shelter formally intervened as a party of record in the instant docket. The SCPCA filed a Motion to Intervene on or about May 14, 2003, and was admitted to the docket as a party of record. Following discovery, negotiations among the parties, and mediation conducted by the Commission’s General Counsel, The Women’s Shelter filed its Motion to Withdraw Pleadings and thus its participation in this docket. In response to The Women’s Shelter Motion, the SCPCA filed a letter requesting, subject to the Commission approving the Motion of The Women’s Shelter to withdraw

from the docket, that the Commission approve withdrawal of the SCPCA's intervention in the docket.

The Commission's General Counsel, following mediation sessions with the parties in this docket, filed a Mediator's Report with the Commission. The Mediator's Report, which addressed the issues and contentions in the present docket, contained the following recommendations:

- 1) The Commission should grant The Women's Shelter's motion to withdraw its pleadings.
- 2) The Commission should consider the separate establishment of a public interest payphone docket, which is separate and distinct from this docket.
- 3) The Commission should grant the SCPCA's Motion to Withdraw.
- 4) The Commission should grant BSPC's [BellSouth Public Communications, Inc.'s] Motion for Expedited Review, based on the verified testimony submitted, and should proceed to award the relief sought by BellSouth in its original Petition in this Docket.

Upon consideration of the Motion of The Women's Shelter, the request to withdraw filed by the SCPCA, and the Mediator's Report filed by the Commission's General Counsel, the Commission finds good cause to grant the Motion of the Women's Shelter to Withdraw Pleadings and the request of the SCPCA to withdraw its intervention. Further, the Commission finds good cause to establish a separate docket to consider and address the issue of, and the issues surrounding, Public Interest Payphones.

IT IS THEREFORE ORDERED THAT:

1. The Motion of The Women's Shelter to Withdraw Pleadings is granted.
2. The request of the SCPCA to withdraw its intervention in the instant docket is granted.

3. A separate docket shall be established in which the Commission may consider and address the issue of, and the issues surrounding, Public Interest Payphones.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)